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Dated Dec 9, 2004 Signature [Signature]
(Doug Gow)

Docket No.: 341148001US7
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David N. Krag

Application No.: 10/791,662

Confirmation No.: 2720

Filed: March 2, 2004

Art Unit: 3736

For: SYSTEM AND METHOD FOR
BRACKETING AND REMOVING TISSUE

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A summary/abstract translation of the non-English language references is enclosed.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 341148001US7. A duplicate copy of this paper is enclosed.

Dated: Dec. 9, 2004

Respectfully submitted,

By Paul Parker
Paul T. Parker

Registration No.: 38,264
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant



PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/791,662-Conf. #2720
				Filing Date	March 2, 2004
				First Named Inventor	David N. Krag
				Art Unit	3736
				Examiner Name	Not Yet Assigned
Sheet	1	of	5	Attorney Docket Number	341148001US7

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-10/416,827		David Krag	
		US-10/745,097		Steven C. Dimmer	
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		US-4,909,789	03-20-1990	AKIHIRO TAGUCHI	
		US-4,936,823	06-26-1990	DAVID P. COLVIN	

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			Examiner Name	Not Yet Assigned	
Sheet	2	of	5	Attorney Docket Number	341148001US7

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				First Named Inventor	David N. Krag
				Art Unit	3736
				Examiner Name	Not Yet Assigned
Sheet	3	of	5	Attorney Docket Number	341148001US7

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				Art Unit	3736
				Examiner Name	Not Yet Assigned
Sheet	4	of	5	Attorney Docket Number	341148001US7

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		EP-0719420	07-03-1996	University of Washington		
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		WO-97/48438	12-24-1997	Lucent Medical Systems, Inc.		

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	WO-99/58055	11-18-1999	Sonometrics Corporation	
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	WO-02/19908	03-14-2002	Accuray Incorporated	
	WO-02/100485	12-19-2002	Calypso Medical Technologies, Inc.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		HSIAO, K., "Fast Multi-Axis Tracking of Magnetically-Resonant Passive Tags: Methods and Applications," February 2001, Massachusetts Institute of Technology, Dept. of Electrical Engineering and Computer Science	
		KELLEY, William E., MD, Image-Guided Breast Biopsy: The ABBI* System, 1997, www.ussurg.com/health-care/procedures/abbi	
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		International Search Report dated July 16, 1999, PCT Application No. PCT/US99/10683	
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		International Search Report dated July 3, 2001, PCT Application No. PCT/US00/31667	
		International Search Report dated October 8, 2002, PCT Application No. PCT/US02/17876	
		International Search Report dated January 24, 2003, PCT Application No. PCT/US02/29390	
		PCT Written Opinion dated July 8, 2003, PCT Application No. PCT/US00/31667	

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